

Community Dialogue on the Management of Contaminated Soil: Overview of DTSC Cleanup Process

Delano
November 14, 2017



Department of
Toxic Substances
Control

Co-host: Center on Race
Poverty & the Environment

Purpose of Today's Dialogue



- ▶ Meeting 2 of 3.
- ▶ Provide an overview of DTSC's decision-making process for cleanups
- ▶ Have an interactive dialogue on the management of contaminated soils.
- ▶ Explore opportunities for new or improved methods of incorporating community input into the cleanup process.

DTSC's Cleanup Program

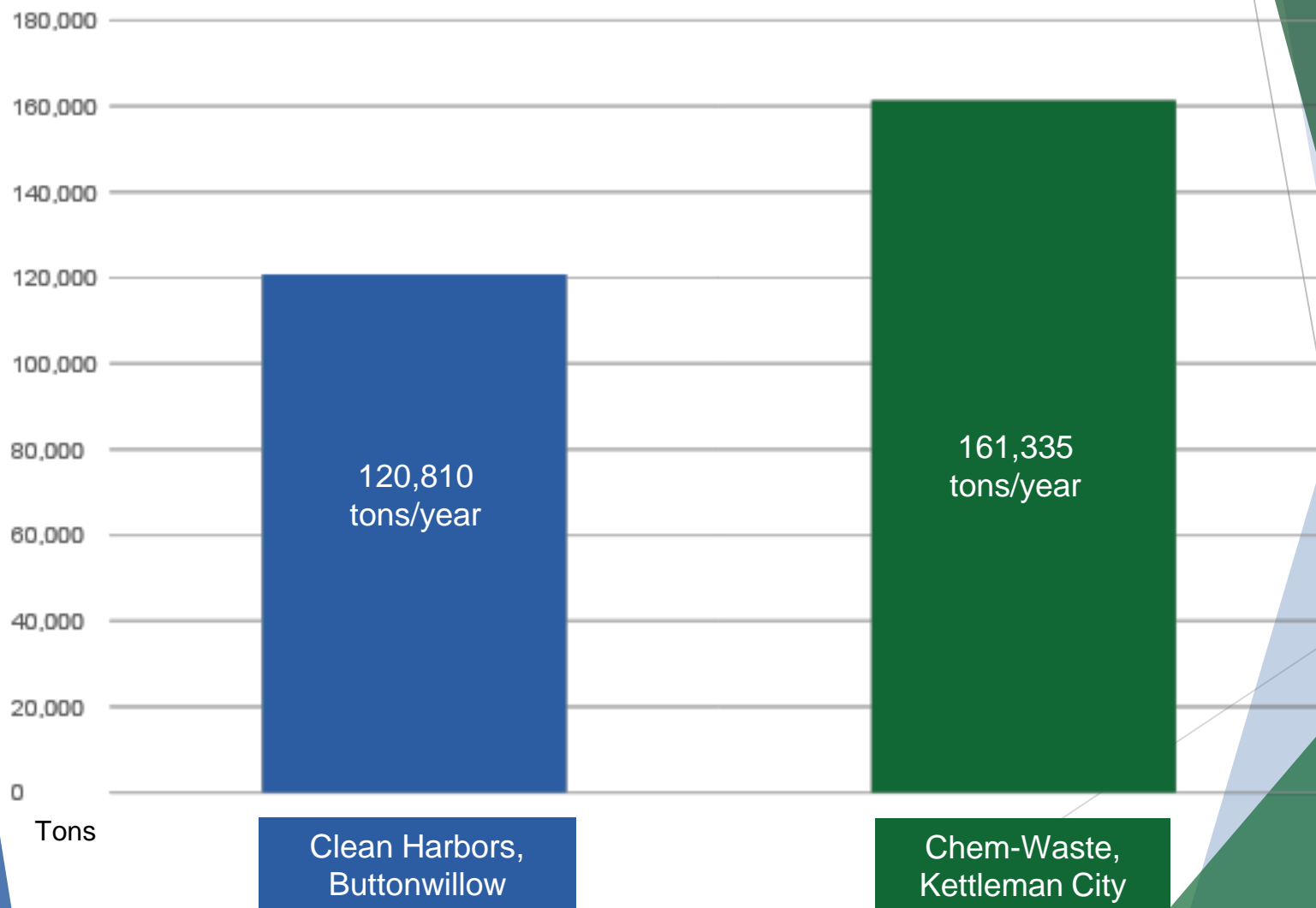


- ▶ Cleanup Program oversees the evaluation, cleanup, and restoration of contaminated sites.
- ▶ DTSC regulates “responsible parties” who are liable for site contamination and cleanup.
- ▶ DTSC provides regulatory oversight for parties who are not a responsible party.

California Hazardous Waste Landfills



**Contaminated Soil from Site Cleanup to in state landfills
(Yearly average 2002-2016, in tons)**



Primary Environmental Laws & Regulations



Federal Laws

- ▶ Comprehensive Environmental Response, Compensation and Liability Act (Superfund).
- ▶ National Oil and Hazardous Substances Pollution Contingency Plan, or the National Contingency Plan

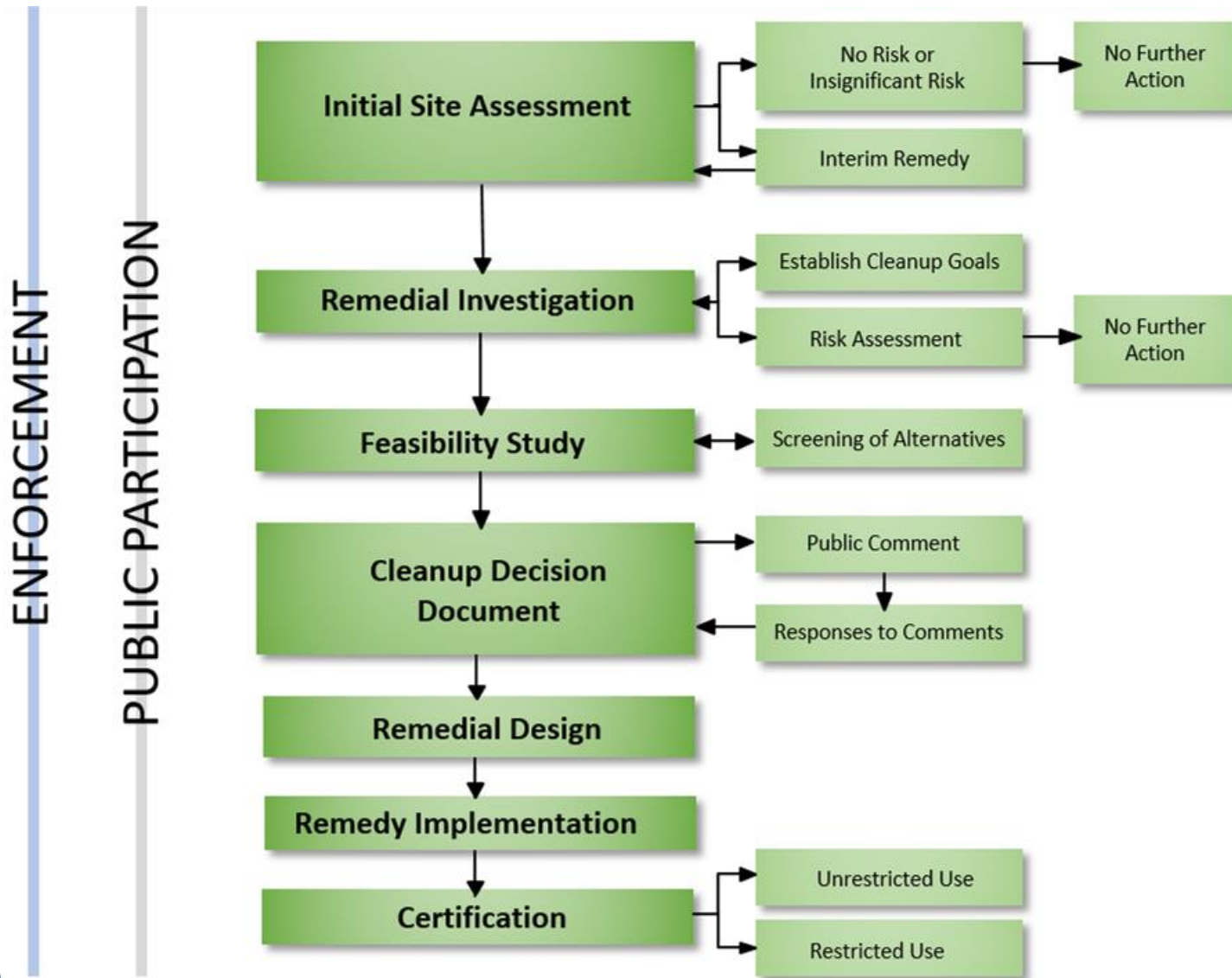
Primary Environmental Laws & Regulations



State Laws

- ▶ Hazardous Substance Account Act - Chapter 6.8, California Health and Safety Code
- ▶ Hazardous Waste Control Law - Chapter 6.5, Health and Safety Code
- ▶ California Environmental Quality Act (CEQA) - Public Resources Code

Cleanup Process (National Contingency Plan)





Public Participation

- ▶ Goal of DTSC's Office of Public Participation is to involve those affected in the decision making process.
- ▶ Largest Public Participation Program of any CalEPA Board, Department, or Office.
- ▶ Several ways we engage the community.

Incorporating Community Input



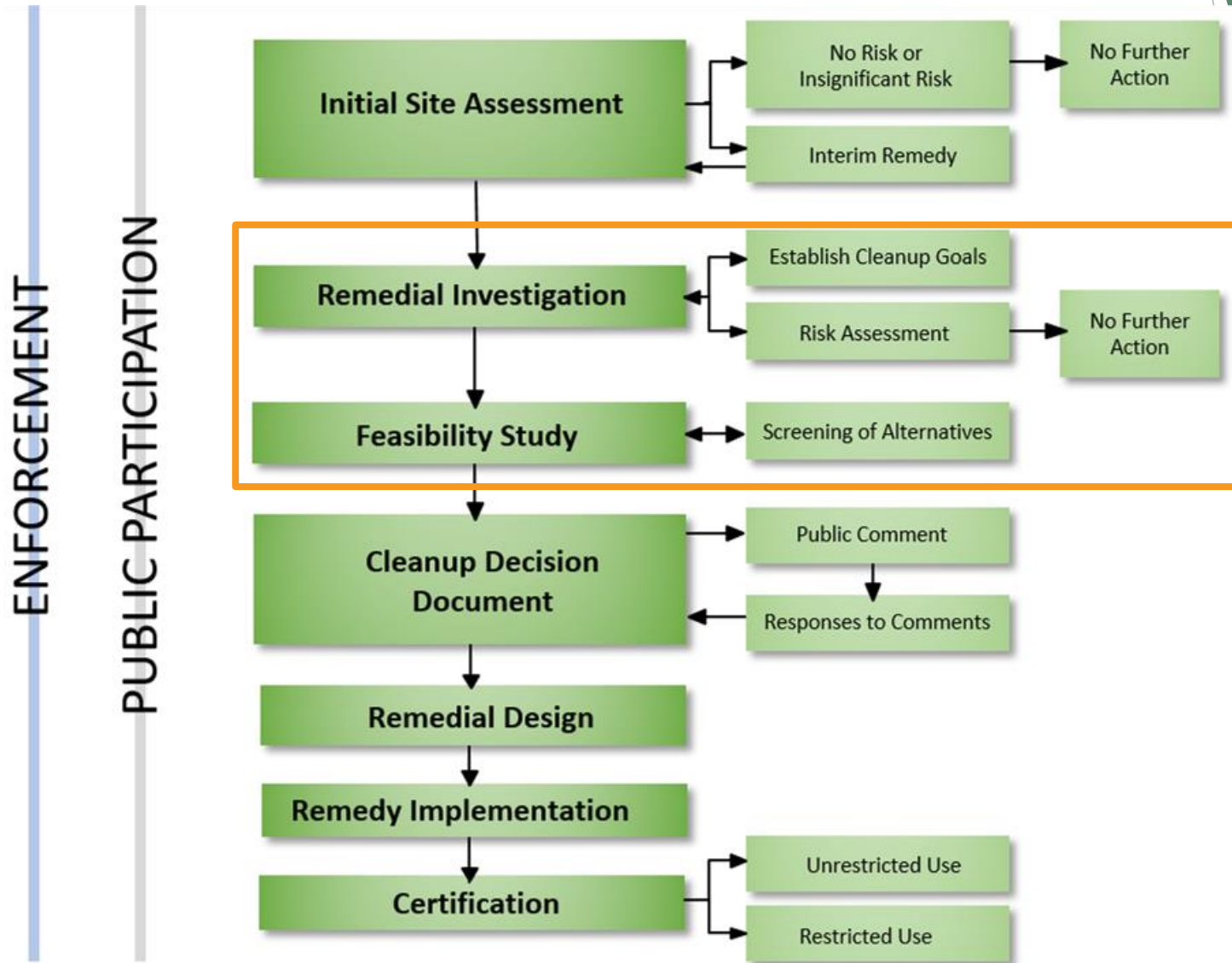
- ▶ Benefits of early engagement and transparency.
- ▶ Formal and informal communications throughout the cleanup process.
- ▶ Examples of ways community input has impacted cleanup decisions.



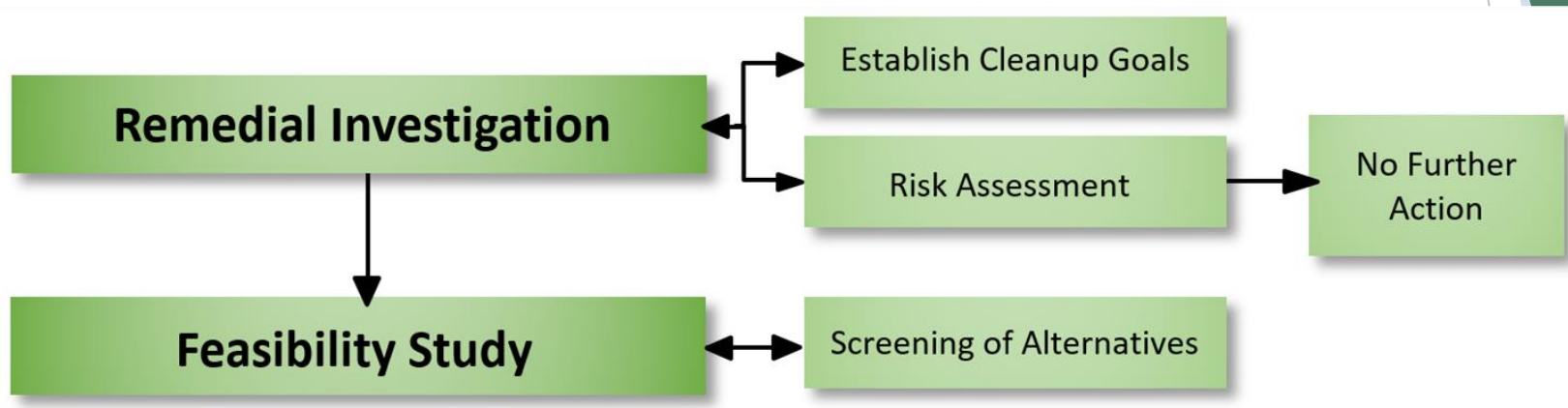
Break

Cleanup Process

(National Contingency Plan)



Remedy Selection Process



Decision Making for Cleanup Projects: National Contingency Plan Criteria



- ▶ **Threshold Criteria** - the criteria each alternative must satisfy to be eligible for selection as a potential cleanup option.
- ▶ **Balancing Criteria** - technical criteria that form the basis for the detailed analysis of alternatives.
- ▶ **Modifying Criteria** - criteria that are assessed during the public comment period.

National Contingency Plan Nine Evaluation Criteria



Threshold criteria	Balancing criteria	Modifying criteria
Overall protection of human health and the environment	Long-term effectiveness and permanence (assessment of residual risk/reliability)	State acceptance (state's evaluation of draft cleanup plan)
Compliance with Applicable or Relevant and Appropriate Requirements (ARARs) (development of cleanup goals)	Reduction of toxicity, mobility or volume (technical evaluation of expected reduction in these parameters)	Community acceptance (interested community's evaluation and support, opposition, or questions on draft cleanup plan)
	Short-term effectiveness (protection of community and workers)	
	Implementability (ability to implement and reliability of technology)	
	Cost (cost of implementation and maintenance)	

Long Term Stewardship



- ▶ Activities required to maintain and monitor the effectiveness of the cleanup **following completion.**

Includes activities like:

- ▶ Land use restrictions,
- ▶ Operation and maintenance,
- ▶ Five year review.

What's Next?



Location and Date	Topics
Saturday, Dec. 2, 2017 10:00AM-3:00PM	Communities involvement in decision-making.
Oakland, CA	Technical approaches for handling contaminated soil.
Co-hosts: Greenaction for Health and Environmental Justice & West Oakland Environmental Indicators Project	